

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

STEVEN CHARLES COLLINS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	No. 4:20-cv-00017-CDL-MSH
Warden H. DWIGHT	:	
HAMBRICK, <i>et al.</i> ,	:	
	:	
Defendants.	:	
_____	:	

ORDER

Plaintiff filed a complaint seeking relief pursuant to 42 U.S.C. § 1983 (ECF No. 1). On August 12, 2020, the U.S. Magistrate Judge issued a Report and Recommendation ("R&R") recommending dismissal of Plaintiff's complaint upon preliminary review. R. & R. 1-6, ECF No. 11. On October 8, 2020, the Court adopted the Magistrate Judge's recommendation, dismissed Plaintiff's complaint, and entered Judgment (ECF No. 14) for Defendants. Order 1, ECF No. 13.

The Court received Plaintiff's motion for extension of time (ECF No. 15) on November 3, 2020. Plaintiff contends he did not receive the R&R until October 12, 2020—two months after it was issued. *Id.* Plaintiff attached a copy of his prison mail log, which supports his contention. Mot. for

Extension of Time, Attach. 1, at 3-4, ECF No. 15-1. Due to this delay, Plaintiff was unable to file objections to the Magistrate Judge's R&R before the Court adopted the R&R and entered its Judgment. Thus, in order to afford Plaintiff the opportunity to contest the Magistrate Judge's findings, the Court construes his motion as a request for an extension of time to file objections. So construed, Plaintiff's motion is **GRANTED**. The Court **ORDERS** that its Order (ECF No. 13) and Judgment (ECF No. 14) be **VACATED**. Plaintiff may file any objections to the R&R within **FOURTEEN (14) DAYS** after being served with a copy of this Order.

SO ORDERED, this 30th day of November, 2020.

S/Clay D. Land

HONORABLE CLAY D. LAND
UNITED STATES DISTRICT JUDGE